

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:12CR391
vs.) ORDER
JOHN WAYS, JR.,)
FRANK FIROZ,)
CHRISTIAN FIROZ,)
RHONDA DECAMP,)
CONSTANCE HAGELSTEIN,)
JOSHUA WELLBORN,)
ALAN DAVIS,)
MARK COONEY,)
MICHAEL BLACKSTONE,)
DAVID ROBERTS,)
Defendants.)

This matter is before the court on the motion of the government to continue the Rule 17.1 conference presently scheduled for April 4, 2013, at 10:00 a.m. (Filing No. 142). Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The Rule 17.1 conference in this matter is rescheduled for **April 30, 2013, at 10:00 a.m.** in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. This being a scheduling conference, defendants need not attend.

2. The ends of justice have been served by scheduling such a conference and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of re-scheduling of the Fed. R. Crim. P. 17.1 conference, i.e., the time between **April 4, 2013, and April 30, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to review the discovery materials, determine if any pretrial motions should be filed, and adequately prepare the case for trial. The failure

to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 3rd day of April, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge